UNITED STATES DISTRICT COURT
for the
Northern District of California

Douglas Ladore	)	
_____	)	
Plaintiff	)	
v.	)	Civil Action No. 14-cv-03530-JCS
Sony Computer Entertainment America, LLC	)	
_____	)	
Defendant	)	

WAIVER OF THE SERVICE OF SUMMONS

To: Benjamin S. Thomassen
      _____
      (Name of the plaintiff's attorney or unrepresented plaintiff)

 I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

 I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

 I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

 I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from _____08/11/2014_____, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8·14·14

Sony Computer Entertainment Am
Printed name of party waiving service of summons

Michele Floyd
Signature of the attorney or unrepresented party

Michele Floyd
Printed name

177 Post St. 6th Floor
Address

mfloyd@srclaw.com
E-mail address

_415.504.3070_
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

 Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

 "Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

 If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

 If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

<u>PROOF OF SERVICE</u>

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

     I am employed in the County of San Francisco, State of California. I am over 18 years of age and am not a party to the within action. My business address is 177 Post Street, Suite 650, San Francisco, CA 94108.

     On August 14, 2014, I served the foregoing **WAIVER OF THE SERVICE OF SUMMONS** on the interested parties in this action by placing a true copy thereof in a sealed envelope as follows:

Benjamin Thomassen
EDELSON P.C.
350 North LaSalle Street, Suite 1300
Chicago, IL 60654

<u>METHOD OF SERVICE</u>

     __X__ MAIL: I deposited such envelope(s) in the mail at San Francisco. The envelope(s) was/were mailed with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing of mail, which would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation or meter date is more than one business day after date of deposit for mailing in affidavit.

     _____ OVERNIGHT COURIER: I sent such document(s) on August 14, 2014 with postage thereon fully prepaid at San Francisco, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

     Executed on August 14, 2014 at San Francisco, California.

_____
Keith Nesbit

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